

ORIGINAL
FILED

07 DEC -3 PM 3:02

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MMB

DEPUTY

1 LAURA M. FRANZE (SBN 250316)
2 **AKIN GUMP STRAUSS HAUER & FELD LLP**
3 1700 Pacific Avenue, Suite 4100
4 Dallas, Texas 75201
5 Telephone: 214.969.2800
6 Facsimile: 214.969.4343
7 E-mail: lfranze@akingump.com

8 KALIA C. PETMECKY (SBN 194094)
9 **AKIN GUMP STRAUSS HAUER & FELD LLP**
10 2029 Century Park East, Suite 2400
11 Los Angeles, California 90067-3012
12 Telephone: 310-229-1000
13 Facsimile: 310-229-1001
14 E-mail: kpetmecky@akingump.com

15 Attorneys for Defendant
16 Eddie Bauer, Inc.

11 UNITED STATES DISTRICT COURT
12 SOUTHERN DISTRICT OF CALIFORNIA

14 KRISTAL D. SCHERER, an individual, on
15 behalf of herself individually, all others
16 similarly situated, and on behalf of the
17 general public,

18 Plaintiffs,

19 v.

20 EDDIE BAUER, INC., a Delaware
21 corporation, and DOES 1 through 100,
22 inclusive,

23 Defendants.

Case No. '07 CV 2270 JM (AJB)

PROOF OF SERVICE

PROOF OF SERVICE--STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 2029 Century Park East, Suite 2400, Los Angeles, California 90067. On December 3, 2007, I served the following document described as:

1. **DEFENDANT EDDIE BAUER, INC.'S NOTICE OF REMOVAL OF ACTION PURSUANT TO 28 U.S.C. § § 1332(D)(2), 1441, 1446 AND 1453;**
2. **DECLARATION OF KALIA C. PETMECKY IN SUPPORT OF DEFENDANT EDDIE BAUER, INC.'S NOTICE OF REMOVAL OF ACTION;**
3. **DECLARATION OF DIANE KOVACS IN SUPPORT OF DEFENDANT EDDIE BAUER, INC.'S NOTICE OF REMOVAL OF ACTION;**
4. **DEFENDANT EDDIE BAUER, INC.'S NOTICE OF PARTY WITH FINANCIAL INTEREST PURSUANT TO U.S. DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA LOCAL RULE 40.2;**
5. **DEFENDANT EDDIE BAUER, INC.'S NOTICE OF RELATED CASES PURSUANT TO U.S. DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA LOCAL RULE 40.1(e) AND (f);**
6. **DEFENDANT EDDIE BAUER, INC.'S CERTIFICATE OF SERVICE OF NOTICE TO ADVERSE PARTIES OF REMOVAL OF ACTION; AND**
7. **CIVIL COVER SHEET.**

on the interested party(ies) below, using the following means:

Sheldon A. Ostroff, APC
Law Offices of Sheldon A. Ostroff
1441 State Street
San Diego, California 92101
Telephone: 619.544.0881

James C. Kostas, APC
David Huffman, APC
Huffman & Kostas
A Partnership of Professional Corporations
1441 State Street
San Diego, California 92101
Telephone: 619.544.0880

Attorneys for Kristal D. Scherer

Attorneys for Kristal D. Scherer

☒ BY MESSENGER SERVICE I served the documents by placing them in an envelope or package addressed to the respective address(es) of the party(ies) stated above and providing them to a professional messenger service for service.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on December 3, 2007 at Los Angeles, California.

Irma Edwards

[Print Name of Person Executing Proof]

Irma Edwards
[Signature]